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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/801,713	03/17/2004	Stephanie Riche	500202302-2	1830
22879 7590 11/14/2008 HEWLETT PACKARD COMPANY P O BOX 272400, 3404 E. HARMONY ROAD INTELLECTUAL PROPERTY ADMINISTRATION FORT COLLINS, CO 80527-2400				
EXAMINER				
TRUONG, CAMQUY				
ART UNIT		PAPER NUMBER		
2195				
NOTIFICATION DATE		DELIVERY MODE		
11/14/2008		ELECTRONIC		

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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### Office Action Summary

**Application No.**

10/801,713

**Applicant(s)**

RICHE ET AL.

**Examiner**

CAMQUY TRUONG

**Art Unit**

2195

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 3/17/04.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-19 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-19 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 17 March 2004 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☒ Notice of Draftsperson's Patent Drawing Review (PTO-946)
- 3) ☒ Information Disclosure Statement(s) (PTO-893)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date 3/17/04

**DETAILED ACTION**

1. Claims 1-19 are presented for examination.

***Drawings***

2. The drawing filed on 3/30/2007 has been acknowledged and acceptable.

***Claim Rejections - 35 USC § 112***

3. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter, which the applicant regards as his invention.

3. Claims 1-19 are rejected under 35 U.S.C 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

A. The claim language in the following claim is not clearly understood:

i. As to claim 1, line 2, it is not clearly indicated whether "the system" refers to "an agenda planning system" in line 1 if it is the same Applicant should use the same term (i.e. the agenda planning system).

ii. As to claim 2, line 1, it is not clearly indicated whether "the elements" refers to "planning element" or "profile element" in claim 1.

***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

**4. Claims 1-3, 9-12, 14-19 are rejected under 35 U.S.C. 102(b) as being anticipated by Seki et al. (U.S. 2001/0052003 A1) (hereinafter Seki).**

5. As to claim 1, Seki teaches the invention as claimed including:

an agenda planning system ( the web page acquisition server 210, paragraph 53) operative to assist an entity in scheduling a sequence of events each involving a resource ( the scheduling unit 321 of the web page acquisition / archiving unit 320 employs the acquisition list to prepare a schedule for the acquisition of a web page process, paragraph 72); the system having a planning element operative to liaise with a resource data source associated with a resource ( the web site 130 is included the web server 230 to provide various web page source, paragraph 531-6), to schedule an event involving said resource ( the scheduling unit 321 of the web page acquisition / archiving unit 320 employs the acquisition list to prepare a schedule for the acquisition of a web page , paragraph 72), and a profile element operable to process entity profile data to provide entity preference data ( a profile manager 311, for managing a user profile received from the user 120, paragraph 63) and to convey the entity preference data to the planning element (transmits the user profile to the web page acquisition/archiving unit 320, paragraph 63, lines 10-11), whereby the event may be scheduled in accordance with the entity preference data ( a scheduling unit 321, for preparing, for the

acquisition of a web page, a schedule based on the user profile, paragraph 64, lines 1-4).

6. As to claims 2-3, Seki teaches the profile element is operative to convey to the planning element only preference data that is relevant to the event being scheduled (transmits the user profile to the web page acquisition/archiving unit 320, paragraph 63, lines 10-11).

7. As to claims 9-10, Seki teaches an entity-specific supervisor element representative of the temporal resource of the entity, the supervisor element being operative to oversee the sequence scheduling and to convey relevant aspects of the temporal resource to the planning agent whereby the sequence of events is scheduled in accordance with the entity's temporal constraints ( a scheduling unit 321, for preparing, for the acquisition of a web page, a schedule based on the user profile, paragraph 64, lines 1-4).

8. As to claim 11, Seki teaches a scheduler element operative, in response to a request from the supervisor element, to identify or convey to the supervisor element an appropriate planning element for the requested resource (the scheduling unit of the web page acquisition / archiving unit 320 employs the acquisition list to prepare schedule for the acquisition of a web page, paragraph 72-75; 64) .

9. As to claim 12, Seki teaches the entity is a human user of the system (user 120, paragraph 63).

10. As to claim 14, Seki teaches at least one of the planning element, profile element, supervisor element and scheduler element is provided in a computer network environment (network, paragraph 24).

11. As to claim 15, Seki teaches the at least one element operates using an Internet Protocol (paragraph 65, lines 3-5).

12. As to claim 16, Seki teaches the Internet Protocol is HTTP (paragraph 65, lines 4-6).

13. As to claim 17, Seki teaches one or more of the elements are software elements (paragraph 99).

14. As to claims 18-19, Seki teaches at least two of the software elements have independent functionality (paragraph 11).

***Claim Rejections - 35 USC § 103***

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

**15. Claims 4-5, 13 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seki et al. (U.S. 2001/0052003 A1) (hereinafter Seki), as applied to claim 1 above, in view of Natarajan (U.S. 5,699,355) (hereinafter Natarajan).**

16. As to claim 4, Seki teaches the planning element is operative, having liaised with the resource data source (the web page acquisition unit 322 for obtaining a web page from web server 230, paragraph 64, lines 5-8)

17. Seki does not explicitly teach convey to the entity a provisional time-slot for the event concerned. However, Natarajan teaches convey to the entity a provisional time-slot for the event concerned (the satellite transmits on the downlink the time slot allocations for the subscriber unit col. 5, line 64 – col. 6, line 10).

18. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Seki to incorporate the teaching of convey to the entity a provisional time-slot for the event concerned as taught by Natarajan in order to gain the advantage of efficiently access resource shared among a competing set of application.

19. As to claim 5, Natarajan teaches the planning element, on receiving an "accept" communication from the entity, is operative to confirm the provisional time slot with the resource data source (the subscriber units make the connection requests , col. 6, lines 11-14).

20. As to claim 13, Natarajan teaches at least one of the planning element, profile element, supervisor element and scheduler element is resident or stored on a mobile communications device such as a mobile telephone or Personal Digital Assistant (hand-held, col. 2, lines 41-52).

21. **Claims 6-8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Seki et al. (U.S. 2001/0052003 A1) (hereinafter Seki) in view of Natarajan (U.S. 5,699,355) (hereinafter Natarajan), as applied to claim 5 above, and further in view of Haartsen (U.S. 2002/0126692 A1).**

22. As to claim 6, Seki and Natarajan do not explicitly teach the data source is



operative to return, to the planning agent, an acceptance token. However, Haartsen teaches the data source is operative to return, to the planning agent, an acceptance token (the pseudo-token is assigned to a communication unit, paragraph 16).

23. As to claims 7-8, Haartsen teaches the resource is operatively associated with an access control element whereby the entity's access thereto is dependent upon the entity having a valid acceptance token (paragraph 18; paragraph 49).

24. It would have been obvious to one of ordinary skill in the art at the time the invention was made to modify the teaching of Seki and Natarajan to incorporate the teaching of data source is operative to return, to the planning agent, an acceptance token as taught by Haartsen in order to gain the advantage of resolving contention contests between peer communication units accessing a communication channel.

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to CAMQUY TRUONG whose telephone number is (571)272-3773. The examiner can normally be reached on 9:00am - 5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng Ai An can be reached on (703)305-9678. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Meng-Ai An/  
Supervisory Patent Examiner AU 2195

Camquy Truong  
October 30, 2008